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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
PERUNGAVOOR, VENKATANARAY	
ART UNIT	**PAPER NUMBER**
2132	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/681,532	WHEELER ET AL.	
	Examiner	Art Unit	
	Venkatanarayanan Perungavoor	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-26 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections –35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 12 and 25 are rejected on the basis on being directed to non-statutory subject matter. Claims 12 and 25 disclose an computer program per se that incorporates the Claim 1 and Claim 13 respectively. Claims 12 and 25 do not recite any language that would allow the functionality of the method to be executed by a computer.

Claim Rejections –35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1,3-8,14-17 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5774650 to Chapman et al.

5. Regarding Claim 1,

a) Chapman et al. discloses an record containing profile data about the user see Column 1 Line 17-20.

b) and c) Chapman et al. discloses similarity searching the profile data against an list see Column 5 Line 30-41 and receiving an result of the similarity search see Column 5 Line 42-45

d) and e) Chapman et al. discloses comparing profile data against an unauthorized list to check to see if the user could gain access to the computer system.

f) Chapman et al. discloses an review process where an profile data is compared against an unauthorized list and deny the user access wherein the match is found see Column 6 Line 66- Column 7 Line 6.

6. Regarding Claim 3, The "permanently denying the new user access to the computer system" is met by Chapman et al. see Column 1 Line 32-34.

7. Regarding Claim 4,The "temporarily denying the new user access to the computer system for a pre-determined period" is met by Chapman et al. see Column 6 Line 45-47.

8. Regarding Claim 5,The "creating an account for each new user" is met by Chapman et al. see Column 4 Line 4-6 & Column 4 Line 13-14.

9. Regarding Claim 6, Chapman et al. discloses an receiving a plurality of records into an file see Column 4 Line 16-20.

10. Regarding Claim 7 and Claim 8, Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61.

11. Regarding Claim 14, The "creating an account for each new user" is met by Chapman et al. see Column 4 Line 4-6 & Column 4 Line 13-14.

12. Regarding Claim 15 and Claim 16, Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61.

13. Regarding Claim 17, Chapman et al. discloses a command that invokes a search to be performed see Column 5 Line 22-28.

14. Regarding Claim 26,

Chapman et al. discloses an record containing profile data about the user see Column 1 Line 17-20.

Chapman et al. discloses extracting and similarity searching the profile to determine the validity of the user and receiving an result from the search see Column 5 Line 30-41.

Chapman et al. discloses determining if there an match and according allowing the user to access the computer system see Column 5 Line 43-46.

Chapman et al. discloses an review process where an profile data is compared against an unauthorized list and deny the user access wherein the match is found see Column 6 Line 66- Column 7 Line 6.

Claim Rejections –35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. Claim 2,9-11,13 rejected under 35 U.S.C. 103(a) as being unpatentable over Chapman et al. (U.S. Patent No.57746560) in view of U.S. Patent No. 6026398 to Brown et al.

17. Regarding Claim 2, Chapman et al. does not disclose having an match score for the similarity result and comparing the match score against an predetermined match score. However, Brown et al. disclose having an match score for the similarity result see Column 3 Line 66- Column 4 Line 7 and Brown et al. also disclose comparing the match score against an predetermined tolerance level see Column 14 Line 49-51. It would be obvious to one having ordinary skill in the art at the time of the invention to include a match score for the similarity result and comparing the match score against an

predetermined match score in order to get precise match for the closest match records see Column 4 Line 27-30.

18. Regarding Claim 9, Chapman et al. does not disclose similarity searching user profile data against the suspended-users profile database, via a batch similarity search engine. However, Brown et al. discloses an match engine for similarity searching the input data against an database of records see Column 8 Line 17-25. It would be obvious to one having ordinary skill in the art at the time of the invention to include an match engine for similarity searching the input data against an database of records in order to determine how closely related the input data is to database of records see Column 8 Line 48-51.

19. Regarding Claim 10, Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine the likelihood of a match between input data and stored data see Column 14 Line 17-21.

20. Regarding Claim 11, Chapman et al. fails to discloses displaying the user-review database via a web-based interface, after the step of relaying the

new-user record to a user-review database and before the step of confirming at least one similarity. However, Brown et al. discloses an outputting the review see Column 15 Line 62-Column 16 Line 3, which is done after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity and Brown et al. further discloses that the output can be an network connections linked through an computer system see Column 20 Line 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include an output of review to be web-based interface so as that commonly used processor may be used see Column 20 Line 50-52.

21. Regarding Claim 13,

a) Chapman et al. does not discloses "receiving a plurality of records into a production new-user database". However Brown et al. discloses an receiving a plurality of records into an file see Column 4 Line 16-20.

b) and c) Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61.

d) and e) Chapman et al. does not disclose relaying the profile data to similarity searching user profile data against the suspended-users profile database, via a batch similarity search engine. However, Brown et al. discloses relaying the profile data to an match engine for similarity searching the input data against an database of records see Column 8 Line 17-25. It would be obvious to one having ordinary skill in the art at the time of the invention to include an match engine for similarity searching the input data

against an database of records in order to determine how closely related the input data is to database of records see Column 8 Line 48-51.

f) Chapman et al. discloses receiving an result of the similarity search see Column 5 Line 42-45

g) and h) Chapman et al. discloses comparing profile data against an unauthorized list to check to see if the user could gain access to the computer system.

i) Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine the likelihood of a match between input data and stored data see Column 14 Line 17-21.

i) ,ii) and iii) Chapman et al. discloses checking whether the user gets access to the computer system based on the comparison with the file, allowing and denying access to the computer system based on the file see Column 6 Line 66-Column 7 Line 6 and updating the database of suspended users is disclosed Chapman et al. see Column 1 Line 57-61.

21. Regarding Claim 18, Chapman et al. does not disclose having an match score for the similarity result and comparing the match score against an predetermined match

score. However, Brown et al. disclose having an match score for the similarity result see Column 3 Line 66- Column 4 Line 7 and Brown et al. also disclose comparing the match score against an predetermined tolerance level see Column 14 Line 49-51. It would be obvious to one having ordinary skill in the art at the time of the invention to include a match score for the similarity result and comparing the match score against an predetermined match score in order to get precise match for the closest match records see Column 4 Line 27-30.

22. Regarding Claim 19, Chapman et al. discloses a similarity search result is received for each new-user record searched see Column 5 Line 30-41.

23. Regarding Claim 20, Chapman et al. discloses a similarity search result being received for all-user records searched see Column 5 Line 65- Column 6 Line 1.

24. Regarding Claim 21, Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine the likelihood of a match between input data and stored data see Column 14 Line 17-21.

25. Regarding Claim 22, Chapman et al. fails to discloses displaying the user-review database via a web-based interface, after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity. However, Brown et al. discloses an outputting the review see Column 15 Line 62-Column 16 Line 3, which is done after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity and Brown et al. further discloses that the output can be an network connections linked through an computer system see Column 20 Line 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include an output of review to be web-based interface so as that commonly used processor may be used see Column 20 Line 50-52.

26. Regarding Claim 23, The "permanently denying the new user access to the computer system" is met by Chapman et al. see Column 1 Line 32-34.

27. Regarding Claim 24, The "temporarily denying the new user access to the computer system for a pre-determined period" is met by Chapman et al. see Column 6 Line 45-47.

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of art in general:

U.S. Patent No. 5937159 to Meyers et al.

U.S. Patent No. 6374237 B1 to Reese

U.S. Patent No. 6526423 B2 to Zawadzki et al.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP

Venkatanarayanan Perungavoor

GILBERTO BARRON
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